
From: Hall, Lynda
To: Evans, David
CC: Wall, Tom; Best-Wong, Benita
Sent: 12/12/2013 11:16:11 AM
Subject: For quick review: Draft Cabinet Report for Oregon CZARA
Attachments: OWCab Report12_2 (2).docx

Dave,

We are seeking your OK, as Acting OWOW Director, on the writeup below which will be sent to the Administrator's office and then included in the Cabinet Weekly which is sent to the White House. When we briefed Nancy on the OR CZARA situation, she mentioned that it ought to be included in the Cabinet report because of its precedential nature and the potential funding implications for the state. Our report mirrors the report NOAA will be sending to the White House (at bottom of message).

Please let me know if you need any more information on this.

Thanks,

Lynda

From: Waye, Don
Sent: Wednesday, December 11, 2013 6:08 PM
To: Hall, Lynda
Subject: Attn Lynda - Draft Cabinet Report for Oregon CZARA

Lynda,

Here is my draft cabinet report. I closely followed what NOAA had drafted for their report to the White House (see below) and tweaked it for our format. I have also attached a sample cabinet report for you to look at. (Note that each issue is afforded a single paragraph.) Once you are fine with it, will you please send it up to Tom & Benita? Once they are fine with it, we will send it to Nizanna Bathersfield, who handles these reports for Nancy Stoner—hopefully in time for inclusion in next Monday's cabinet report. Also, when I spoke with Nizanna about our issue and told her we would be briefing Oregon's Congressional delegation, she said that would be important information to include in our report.

On December 20, EPA and NOAA will announce their joint proposal to disapprove Oregon's Coastal Nonpoint Program in the Federal Register. The state program is required under Section 6217 of the Coastal Zone Act Reauthorization Amendments (CZARA), which also provides joint program approval authority to EPA and NOAA. A 90-day public comment period will follow. EPA and NOAA will consider all comments before making a final decision by May 15, 2014. If the disapproval stands, EPA and NOAA will be required to withhold 30 percent of the state's funding under section 319 of the Clean Water Act and section 306 of the Coastal Zone Management Act. This action was taken as a result of a 2010 settlement agreement with Northwest Environmental Advocates, which sued EPA and NOAA. The decision sets a precedent because it is the first time the agencies have proposed to disapprove a state's program. EPA and NOAA are briefing Oregon's Congressional delegation on December 17.

Don Waye
U.S. EPA - Nonpoint Source Control Branch
Phone: 202-566-1170

From: Allison Castellan - NOAA Federal [<mailto:allison.castellan@noaa.gov>]
Sent: Wednesday, December 11, 2013 4:17 PM
To: Carlin, Jayne
Cc: Psyk, Christine; Hall, Lynda; Waye, Don; Croxton, Dave; Henning, Alan; Wu, Jennifer; Powers, David; Gable, Kelly; Sweeney, Stephen; jeff.dillen@noaa.gov

Subject: Re: Dec 11 OR CZARA Update Agenda (OR CZARA Decision Document 12-10-13 Version)

This is what we put forward for our high-level weeklies to Sec. and White House.

NOAA and U.S. Environmental Protection Agency (EPA) Propose to Disapprove Oregon Coastal Nonpoint Program: NOAA and EPA will announce in the *Federal Register* on December 20 plans to disapprove Oregon's Coastal Nonpoint Program under Section 6217 of the Coastal Zone Act Reauthorization Amendments. A 90-day public comment period will follow. The agencies will consider all comments before making a final decision by May 15, 2014. If the disapproval stands, NOAA and EPA will be required to withhold 30 percent of the state's funding under Section 306 of the Coastal Zone Management Act and Section 319 of the Clean Water Act. This action was taken due to a 2010 settlement agreement with Northwest Environmental Advocates, which sued NOAA and EPA. The decision is precedent-setting because it is the first time the agencies have proposed to disapprove a state's program. (Contact Allison.Castellan@noaa.gov, 301-563-1125.)